

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
AT DAYTON**

AMY SMITH,
Plaintiff,

v.

THE UNIVERSITY OF ARIZONA
GLOBAL CAMPUS; ZOVIO, INC.;
and THE CBE GROUP, INC.,
Defendants.

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CASE NO. 3:23-cv-17

**DEFENDANT THE CBE GROUP INC.'S
NOTICE OF REMOVAL**

COMES NOW, Defendant THE CBE GROUP INC. ("CBE") and files its
Notice of Removal as follows:

1. Plaintiff AMY SMITH filed her state court Complaint on December 14, 2022 in the Court of Common Pleas, Montgomery County, Ohio located at 41 N Perry St., Dayton, OH 45422.

2. This is a civil action based on Plaintiff's contention that the Defendant CBE violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA")

3. Removal is proper because this case involves a federal question—an alleged violation of the FDCPA. This entire suit is removable under 28 U.S.C. § 1441(a).

4. Venue is proper in this district under 28 U.S.C. 1441(a) because the state court where the suit has been pending is located in this district.

5. Removal is timely pursuant to 28 U.S.C. § 1441(b) because Defendant has filed its Notice of Removal within 30 days of service of Plaintiff's state court Petition.

7. Pursuant to U.S.C. § 1441(a), a copy of all process, pleadings, documents, and orders in this case have been attached as **Exhibit A**.

8. A copy of this Notice of Removal has been sent to Plaintiff and will be filed with the clerk of the Court of Common Pleas, Montgomery County, Ohio.

9. Plaintiff requested a jury trial in the state court.

10. Defendant THE UNIVERSITY OF ARIZONA GLOBAL CAMPUS has consented to this Removal and has not appeared in the state court action. Defendant ZOVIO, INC. is believed to be dissolved and has not appeared in the state court action.

WHEREFORE, Defendant THE CBE GROUP, INC. respectfully requests that this Court assume full jurisdiction over the proceeding as provided by law.

Dated: January 17, 2023

Respectfully submitted,

/s/Boyd W. Gentry

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*Trial Attorney for Defendant THE CBE
GROUP INC.*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded via **CM/ECF** system to all parties entitled to notice of the same on this 17th day of January, 2023. A copy of this filing has been served on January 17, 2023 to Plaintiff's counsel (via email and placed in the U.S. mail, First Class).

/s/Boyd W. Gentry

Boyd W. Gentry (0071057)